REMARKS

Claims 1-16 are hereby canceled. New claims 17 – 26 comprise elements that are not disclosed in the prior art references cited.

The combination of prior art references does not disclose the use of a direct serial connection for firmware loading while using a network connection for firmware configuration data transmission. The combination of prior art references does not disclose the use of a download computing device for loading firmware in conjunction with a web server for storing and transmitting firmware configuration data.

Guess, US Published Patent Application No. 2003/0204711, teaches the use of on-board memory for storing firmware configuration data during a firmware update. Guess does not teach the use of any external devices or connections.

Sun et al, US Published Patent Application No. 2004/0237067, teaches customizable software wherein logic modules may be combined with a primary program to limit access to the primary program. It is a Java-based system that does not enable use with fully compiled code and is not likely compatible with firmware. Sun et al teach modification of software before release to an end-user so that various digital rights management schemes may be implemented. Sun et al do not teach extraction of configuration data from firmware, reconfiguration of new firmware. Sun et al is cited as teaching downloading of customized software to a user. However, this is performed in a very different manner than that claimed in the new claims.

Woodard et al, US Patent Application No. 2002/0104080, teach a method of preserving operating system configuration parameters across systems or updates. This system works with full computer systems, such as those that use the Microsoft Windows operating systems, which

have substantial system resources. This system will not work with many firmware devices with limited resources. Woodard et al require the use of an SEIM, which is a program that is downloaded to the device (a computer) for determining configuration parameters. The currently claimed embodiments of the present invention may be distinguished from the system of Woodard et al by the lack of a need to download a program to the firmware device. However, the current claims also differ from Woodard et al in their data paths and devices used for the process. Woodard et al is cited as teaching the use of a web-based data management utility, but it does not teach firmware configuration update methods as claimed in the current claims.

Autry, US Patent No. 6,990,577, teaches a method of preserving BIOS configuration data during a BIOS update. The method of Autry uses on-board system resources to store BIOS configuration parameters during the update. No external devices are used and no connections with other devices are disclosed.

Broeksteeg et al, US Published Application No. 2002/0124243, teaches a method of preserving application configuration information during a software update. Broeksteed et al also teach adding a configuration parameter to a parameter set when software is updated. Broeksteed et all do not teach the specific device configuration or connections of the current claims.

In light of the amendments and arguments presented above, the examiner is

requested to withdraw these rejections and proceed with allowance of this application.

Respectfully submitted,

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